FORTHON FOR ZONING RE-CLASSIFICATION

SPECIAL EXCEPTION AND OR VARIANCE

TO THE COUNTY BOARD OF APPEALS O	OF BALTIMORE COUNTY:
documented in the description and plat attached	property situate in Baltimore County and which is hereto and made a part hereof, hereby petition (1) property be re-classified, pursuant to the Zoning Law

of Baltimore County, from an DR 5.5 zone to an DR 16 zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property.

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimere County:

~ jd

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LN3

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Legal Owner(s):

Edward D. Ireland

Contract Purchaser: Jermoweb, Inc. Jerome Seaman, Pres. Ormi Slanaw I Nes. 631 Reisterstown Road

(Type or Print Name) Pikesville, MD 21208

City and State Petitioner's Representative ARKAREX RAXPERNAROR Sol E. Gerstman

4508 Dresden Road Name, address and phone number of legal owner, con-

Pikesville, MD 21208 Sol E. Gerstman City and State

BABC-Form 1

Item No. 4 - Cycle II Petitioner - Edward D. Ireland Reclassification Petition

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between March 1 and June 30, 1982, will be forwarded to you in the

> Very truly yours, NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

NBC:mch

Enclosures

cc: Richard W. Benner Templar Engineering 19F Nutmeg Knoll Court Cockeysville, Maryland 21030 PETITION FOR ZONING RE-CLASSIFICATION

SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an DR 5.5 zone to an DR 16 zene, for the reasons given in the a tached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property,

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and ad rtised as prescribed by The Baltimore County Code.

I, or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Contract Purchaser: Legal Owner(s): (Type or Print Rame) (Type or Print Name) City and State Petitioner's Representative **የአካሪ የአካሪ የአካሪ እን** 1800 N. Charles St., 727-7030 Address Baltimore, MD 21201 Twin Caks Associates, Inc. 4508 Dresden Road Name, address and phone number of legal owner, contract purchaser or representative to be contacted Pikesville, MD 21208 Sol E. Gerstman Representative's Attorney's Telephone No.: 685-4020 4508 Dresden Road 685-4020
655-7654 Address Phone No.



HARRY J. PISTEL, P. E. DIRECTOR

BABC -Form 1

September 25, 1981

Mr. William T. Hackett, Chairman Board of Appeals Court House Towson, Maryland 21204

> Re: Item #4 Cycle Zoning II (Oct. 1981-Apr. 1982) Property Owner: Edward D. Ireland, et al W/S Scotts Level Rd. & N/S Chicory Hill La. Existing Zoning: DR 5.5 Proposed Zoning: DR 16

Acres: 4 District: 2nd

Dear Mr. Hackett:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item. General:

Subdivision and resubdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

Highways:

Scotts Level Road and Chicory Hill Lane, existing public roads, are proposed to be improved in the future as 40 and 30-foot closed section roadways on 60 and 50-foot rights-of-way, respectively, with a fillet area for sight distance at their intersection.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards and Specifications.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 30, 1981

RE: Item No. 4 - Cycle II

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

Gol E. Gerstman Fwin Oaks Associates, Inc. 4508 Dresden Road Pikesville, Maryland 21208

Dear Mr. Gerstman:

Pelitioner - Edward D. Ireland Reclassification Petition

Bureau of

Traffic Engineering

Burnau of Fire Prevention Health Department Project Planning Building Department Loard of Education Zoning Administration Industrial

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the October 1981 -April 1982 reclassification cycle (Cycle II). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals

with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested. If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better

compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before November 30. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

This currently vacant wooded property, proposed to be reclassified from a D.R. 5.5 to a D.R. 16 zone, is located on the west side of Scotts Level Road between Chicory Hill and Breckenridge Lanes in the 2nd Election District. Surrounding properties are improved with apartments to the northwest and a convalescent home to the southeast, while wooded land exists to the east across Scotts Level Road. This latter property is currently zoned D.R. 5.5 and not D.R. 16, as shown on the submitted

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the enclosed comments from the Committee are general in nature. If the requested reclassification is granted, more detailed comments from County agencies and/or this Committee will be submitted when a proposed development is shown.

ltem #4 Cycle Zoning II (Oct. 1981-Apr. 1982) Property Owner: Edward D. Ireland, et al

September 25, 1981

Storm Drains: (Cont'd)

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

A drainage swale traverses this property.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

There are 12 and 8-inch public water mains in Scotts Level Road and Chicory Hill Lane, respectively.

There is 8-inch public sanitary sewerage in Scotts Level Road and Chicory Hill

Very truly yours,

RAM: EAM: FWR: SS

cc: Jack Wimbley

P-SE Key Sheet 25 NW 26 Pos. Sheet NW 7 G Topo 77 Tax Map

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON MARYLAND 21204
494-3211 NORMAN E. GERBER DIRECTOR

October 29, 1981

Mr. William Hackett - Chairman Board of Appeals Room 219 - Court House Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #4, Zoning Cycle II, - 1981, are as follows:

Property Owner: Edward D. Ireland, et al Location: W/S Scotts Level Road & N/S Chicory Hill Lane Acres: 4 District: 2nd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The subject property is located in the Gwynns Falls Sewer Area and in a Traffic Level of Service Area controlled by a "F" intersection.

Any subdivision of the property will require compliance with Title 22 of the Baltimore County

John Zevenbley

Current Planning and Development

JLW:rh



STEPHEN E. COLLINS DIRECTOR

October 8, 1981

Mr. William Hackett Chairman, Board of Appeals Office of Law, Courthouse Towson, Maryland 21204

> Cycle II - Meeting of September 14, 1981 Item No. - 4 Property Owner: Edward D. Ireland, et al Location: W/S Scotts Level Road & N/S Chicory Hill Lane Existing Zoning: D.R. 5.5 Proposed Zoning: D.R. 16 Acres: 4 District: 4th.

Dear Mr. Hackett:

The existing D.R. 5.5 zoning can be expected to generate approximately 220 trips per day and the proposed D.R. 16 zoning can be expected to generate approximately 480 trips per day.

BALTIMORE COUNTY PUBLIC SCHOOLS

The intersection of Scotts Level and Milford Mill Road and Scotts Level and Old Court Road are at E level of service.

Traffic Engineering Associate II

Towson, Maryland - 21204

Over/Under

-292

-382

Proposed

Zoning

0-9

Date: 9/22/81

Capacity

1263

1505

2oning Cycle #11 - 1981

Meeting of 9/14/81

Enrollment

971

1123

Existing

Zoning

Very truly yours

Mich Letenit Wm. Nick Petrovich, Assistant

Department of Planning

2-12

Schools servicing this area are all able to accommodate any pupils from either

MSF/rlj

Robert Y. Dubel, Superintendent

Chairman, Board of Appeals

1111 West Chesapeake Avenue

Towson, Maryland 21204

Baltimore County Office Building

Present Zoning: D.R. 5.5

Proposed Zoning: D.R. 16

Property Owner: Edward D. Ireland, et al

Elementary

Junior High

Senior High

existing zoning or from proposed zoning.

Location: W/S Scotts Level Road & N/S Chicory Hill Lane

Mr. Walter Reiter

RE: Item No: 4

School Situation

Acreage: 4

School

01d Court Jr.

Milford Mill Sr.

Winand E1.

Student Yield With:

WNP/bp

BALTIMORE COUNTY DEPARTMENT OF HEALTH OWSON, MARYLAND 21204 DONALD J. ROOP, M.D., M.P.H. DEPUTY STATE & COUNTY HEALTH OFFICER

September 30, 1981

Mr. Walter Reiter, Chairman board of Appeals Court House Towson, Maryland 21204

Dear Mr. Reiter:

Comments on Item #4, Zoning Advisory Committee Meeting for Cycle II, are as follows:

> Property Owner: Edward D. Ireland, et al Location: W/S Scotts Level Road & N/S Chicory Hill Lane Existing Zoning: D.R. 5.5 Proposed Zoning: D.R. 16 Acres: 4 District: 2nd.

Metropolitan water and sewer are available. Connection to metropolitan sewer is subject to the Gwynns Falls Sewer moratorium.

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Health to make complete comments.

IJF/JRP/mgt

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

Very trally yours,

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William Hacket+-Chairman Board of Appeals September 22, 1991 Nick Commodari Charles E. Burnham Cycle II-1981 SUBJECT Item #4 Zoning Advisory Committee Meeting 9-14-81

Property Owner: Edward D. Ireland, et al W/S Scotts Level Road & N/S Chicory Hill Lane Existing Zoning: D.... 5.5 Proposed Zoning: D.R. 16

Acres: District:

All future improvements shall be ir compliance with the Baltimore County Building Code, the Handicapped Code of the State of Maryland and other applicable rules, regulations and codes.

Lo construction shall begin until the applicable permits have been

thoras & Sunland Charles E. Burnham Plans Review Chief

TB:rrj

BALTIFONE

CCUVI E CC. W ထား

BALTIMORE COUNTY FIRE DEPARTMENT FIRE DEPARTMENT TOWSON, MARYLAND 21204

PAUL H REINCKE

October 9, 1981

cc: William Hackett Mr. William Hammond Coming Commissioner Chairman of Board of Appeals Office of Planning and Zoning Baltimore County Office Building

Towson, Maryland 21204 A'tention: Nick Commodari, Chairman

Zoning Plans Advisory Committee RE: Property Owner: Edward D. Ireland, et al

Location: W/S Scotts Level Road and N/S Chicory Hill Lane

Item No.: 4

Zoning Agenda: Meeting of September 14, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be co rected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 500 feet along an approved road in accordance with Baltimore County Standards as pub ished by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _ EXCEEDS the maximum allowed by the Fire Department.

'() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

Planning Group Fire Prevention Bureau Special Inspection Division

JK /mb/cm

IN THE MATTER

PETITIONERS

TO D.R. 16

OF THE APPLICATION

OF EDWARD D. IRELAND, et al.,

FOR REZONING OF PROPERTY LOCATED AT W/S SCOTTS LEVEL RD. & N/S CHICORY HILL LANE,

2nd DISTRICT, FROM D.R. 5.5

IN THE CIRCUIT COURT BALTIMORE COUNTY

ZONING FILE NO. R-82-183 JERMOWEB, INC., AT LAW: 14/129/82-M-124 APPELLANTS

ORDER AFFIRMING BOARD OF APPEALS OF BALTIMORE COUNTY

* * * * * * *

As a result of a hearing before the court today, it is ORDERED by the Circuit Court for Baltimore County this day of January, 1983 for the reasons stated on the record as follows:

1) That the Motion to Dismiss (paper no. 8) filed by People's Counsel be and is hereby overruled.

2) That the Appeal as heard on the record results in the declaration of this court that the decision of the Board of Appeals of Baltimore County be and is hereby affirmed. Costs to be paid by appellant.

JOHN F. FADER, II

JFF: jal

BALTIN COS CCS CCS

دي زيا

cc: Donald P. Mazor, Esquire John W. Hessian, III, Esquire



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William Hackett-Chairman Board of Appeals Date___September 22, 1981 Nick Commodari Charles E. Burnham

SUBJECT Item #4 Zoning Advisory Committee Meeting 9-14-81

Property Owner: Edward D. Ireland, et al W/S Scotts Level Road & N/S Chicory Hill Lane Existing Zoning: D.R. 5.5 Proposed Zoning: D.R. 16

Acres: District:

Cycle II-1981

All future improvements shall be in compliance with the Baltimore County Building Code, the Handicapped Code of the State of Maryland and other applicable rules, regulations and codes.

No construction shall begin until the applicable permits have been

Plans Review Chief

CEB:rrj

EDWARD D. IRELAND

No. R-82-183

W/S Scotts Level Rd. and N/S Scotts Level Rd. and N/S Chicory Hill Ln. 2nd District

Reclass. - DR 5.5 to DR 16

" 25

Petition filed

Hearing held before the Board March 16, 1982 The Board DENIED re-lassification March 31,

Арг. 29, " Order for Appeal fil in Cir. Ct. by Donald Mazor, Esq., counsel for appellants

Record of proceedings filed in Cir. Ct. June 18, "

> Mction to Dismiss filed by People's Counsel because Memorandum was not timely

filed by Counsel for Appellants Court denied Motion to Dismiss and

AFFIRMED the Board - Judge John F. Fader, II

IN THE MATTER
OF THE APPLICATION
OF EDWARD D. IRELAND, et al.,
PETITIONERS
FOR REZONING OF PROPERTY
LOCATED AT W/S SCOTTS LEVEL
RD. & N/S CHICORY HILL LANE,
2nd DISTRICT, FROM D.R. 5.5
TO D.R. 16

ZONING FILE NO. R-82-183

JERMOWEB, INC.,

APPELLANTS

MEMORANDUM

IN THE CIRCUIT COURT

BALTIMORE COUNTY

AT LAW

Misc. 14/129/82-M-124

JAN1 8 1983 PEDPLE'S COUNSEL

This matter is an appeal of the opinion of the Board of Appeals of Baltimore County dated March 31, 1982, wherein the Petitioners were denied their request to change their property from present zoning of D.R. 5.5 to D.R. 16. The property is a vacant lot located south of the Scotts Level Apartment complex which is zoned D.R. 16 and north of the St. Charles Apartments, also zoned D.R. 16. To the east of the property, is a similar section of D.R. 16 running along the Baltimore Beltway, which at this point is undeveloped.

The neighborhood of the subject property has been defined by Mr. James Hoswell, who testified on behalf of the County at the Hearing for the County Board of Appeals, as indicated on page 91 of the transcript. He defined same as the Baltimore Beltway on the easternmost boundary, and then beginning at Old Court Road and running down to Milford Mill, and moving in a westerly direction to some point that he described as "take your pick within reason". This area seemingly has been described and shown on the section of zoning map attached to the Petitioners original petition for zoning reclassification which was filed as part of said original petition.

The Board of Appeals determined that there was no evidence of significant change in the neighborhood since the last Comprehensive Zoning Map which was adopted in October 1980 and it further decided that the strong presumption of correctness

enough to do so." It is once again the Petitioners contention that the evidence as presented by their expert certainly was and is substantial and strong enough to show error in the Comprehensive Zoning Map of 1980.

- 5 -

Although the change - mistake rule is the only real issue of this appeal, I believe it should be fairly pointed out to this Court that there was substantial testimony at the hearing before the Board of Appeals involving the traffic situation at a number of intersections servicing this area, and the issue of the Gwynns Falls sewer matter. The County Board of Appeals recognized that the county agencies in presenting their comments to the Zoning Advisory Committee were in error on several of these issues. The information presented to the Committee concerning the traffic flow levels of theatre sections was incorrect and the information presented concerning a moratorium on the Gwynns Falls basin was incorrect, there, in fact, being no moratorium but merely an allocation on particular need or use. Although it is not necessary to use these issues in the presentation of the Petitioners Appeal, these items are simply pointed out to lend additional credibility to the Petitioners expert and to assist this Honorable Court in reversing the decision of the County Board of Appeals by authorizing reclassification of the subject property from the present D.R. 5.5 to the requested D.R. 16.

Respectfully submitted,

Donald P. Mazor
114 Slade Avenue
Baltimore, Maryland 21208
486-0115
Attorney for the Petitioners/Appellants

which goes with the County Councils adoption of the Comprehensive Zoning Map of 1980 had not been overcome by the Petitioners.

Accordingly, the very narrow question presented by this Appeal

- 2 -

the effect of the change - mistake rule as applied to the facts of this case in regard to the testimony presented at the hearing.

It is the Petitioners contention that the action of the County Board of Appeals in denying the change from D.R. 5.5 to D.R. 16 was arbitrary, capricious and unreasonable. See Montgomery County Council vs. Kacur, 253 MD. 220, 252 A2d, 832. "The test whether zoning authority has properly declined to rezone realty is whether decision was fairly debatable and not arbitrary, capricious and unreasonable". The Petitioners contention is that the question was not fairly debatable in light of the testimony of the Petitioners expert, Sol E. Gerstman, who I believe fairly set forth for the County Board of Appeals the fact that the subject property is zoned D.R. 5.5 in a neighborhood, as previously defined, which abounds with property zoned D.R. 16. As was pointed out in the opinion of the County Board of Appeals, to the east of the subject property is a similar section of D.R. 16, which runs along the Baltimore Beltway, and which is also undeveloped at this time. The contention of Petitioners expert is that the entire quadrant of property lying southwest of Old Court Road and Baltimore Beltway, of which the subject property is a part, should have been zoned as D.R. 16 and that it is a mistake on the part of the County to have zoned the subject property D.R. 5.5 when it is surrounded extensively by D.R. 16 property. Petitioners expert further rightfully points out that the D.R. 5.5 zoning for the property upon which the Old Court Junior High School rests is not controlling in this instance, inasmuch as the zoning for that land could have been anything in view of the County's right of eminent domain and to use the land for the public convenience.

I HEREBY CERTIFY, that on this 'Y' day of January, 1983, a copy of the aforegoing Memorandum was mailed to John W. Hesssian, III, Esquire, Peoples Counsel for Baltimore County, 102 W. Pennsylvania Avenue, Suite 603, Towson, Maryland 21204, and Peter Max Zimmerman, Deputy Peoples Counsel, Room 223, Courthouse, Towson, Maryland 21204.

- 6 -

Donald P. Mazor, Attorney

The case of Jacobs vs. County Board of Appeals of Baltimore County, 234 MD. 242, 198 A2d, 900, states as follows:

- 3 -

"Zoning is not static and zoning authorities, eitner in adopting comprehensive zoning plan or in granting reclassification, may take into consideration needs of reasonably foreseeable future".

The Petitioners expert further points out that there have been continuous change in this neighborhood from 1972 up to and including the present time. Exhibits 1 and 2, being aerial photographs, the first dated March 28, 1972 and the second dated in 1977 (transcript pages 6 and 7) were admitted for the purpose of showing neighborhood changes since 1972. Petitioners expert, who is also a resident of the area of the subject property (page 39 transcript), indicated the continuing development of the St. Charles Apartments, the new development called Court Haven, and the granting of a special exception for an office building at the intersection of Mollye Road and Scotts Level Road, in addition to road construction projects on Old Court Road and the Baltimore Beltway and Old Court Road and Greenwood Road, Old Court Road and Scotts Level Foad, and rebuilding of Milford Mill and ! hington Avenue, Milford Mill - Scotts Level and Milford Mill and Scotts Hill (pages 8 and 9 transcript). See case entitled Chevy Chase Village vs. Montgomery County Council, 258 MD. 27, 264 A2d, 861, "If there have been changes in neighbornoods since the comprehensive rezoning, District Council may consider changes prior to comprehensive rezoning to determine wnether or not application for piecemeal rezoning will be granted. District Council may consider only changes prior to comprehensive rezoning in reaching its decision in regard to significance of subsequent change in neighborhood and whether or not it would be in the public interest to grant piecemeal rezoning."

It is contended on this appeal by the Petitioner that the issue of neighborhood change and mistakes of original zoning and confirmation of the original zoning by the Comprehensive Rezoning Map of 1980 is not tairly debatable. The neighborhood changes

IN THE MATTER OF THE IN THE CIRCUIT COURT APPLICATION OF EDWARD D. IRELAND, et al., FOR BALTIMORE COUNTY PETITIONERS FOR REZONING OF PROPERTY AT LAW LOCATED AT W/S SCOTTS LEVEL RD. & N/S CHICORY HILL LANE, Misc. 14/129/82-M-124 2nd DISTRICT, FROM D.R. 5.5 TO D.R. 16 ZONING FILE NO. R-82-163 JERMOWEB, INC., APPELLANTS :::::::

MOTION TO DISMISS

People's Counsel for Baltimore County, a Protestant below and Appellee here, respectfully moves this Honorable Court to dismiss the appeal herein on the following ground:

- That this is an administrative appeal from an action of the County Board of Appeals
 of Baltimore County and is therefore governed by Section B of the Maryland Rules of
 Procedure.
- 2. That the record in this case was duly transmitted by the said County Board of Appeals of Baltimore County to the Clerk of this Honorable Court and received by said Clerk on June 18, 1982.
- 3. That thereafter, the provisions and requirements of Maryland Rule B12. came into play, which said rule reads as follows:

"Within 30 days after being notified by the clerk of the filing of the record, the appellant shall file a memorandum setting forth a concise statement of all issues raised on appeal and argument on each issue, including citations of legal authorities and references to pages of the transcript and exhibits relied on. Within 30 days thereafter any other party desiring to be heard, including the appropriate agency when entitled by kiw to be a party to the appeal, shall file an answering memorandum in the same form. The appellant may file a reply memorandum within 15 days after the filing of any answering memorandum. This Rule shall not apply to appeals from the Workmen's Compensation Commission."

4. That in accordance with the provisions of said Maryland Rule B12., therefore,
Appellant had until July 19, 1982 as the period of time within which to file the required

have been properly documented by the Plaintiff through its Petitioner, Sol E. Gerstman, and the errors in original zoning have also properly been pointed out by his testimony. Furthermore, the Court of Appeals in the 1970 case of Roberts vs. Grant, 20 MD. app. 247, 315 A2d, 103, recites that "A substantial change in character of neighborhood is not required to justify rezoning small portion of land that is zoned in a manner wholly inconsistent with surrounding area". In such event, the court seems to say that in a case such as the instant case at bar, it is not even necessary to show a substantial change notwithstanding the fact that Petitioner has shown substantial change, when there is justification to rezone a small portion of land which is zoned in a manner wholly inconsistent with surrounding area. The subject property seems to be zoned in a manner wholly inconsistent with surrounding area, and, if the proposition set forth in the case of Roberts vs. Grant were to be applied, it is not necessary for the Petitioners to show substantial change.

The 1959 case of Muhly vs. County Council for Montgomery County, 218 MD. 543, 147 A2d, 735, states that "Readoption of a County Zoning Map and Plan, without change as to a particular property, is entitled to presumption that it was a deliberate confirmation of the earlier decision, but changes between time of initial zoning and the confirmation should not be wholly disregarded."

It seems that the County Board of Appeals in the instant case has wholly disregarded changes which have occurred both prior to the 1980 Map and subsequent thereto, such action seemingly being arbitrary, capricious and unreasonable. Furthermore, the 1974 case entitled Coppolino vs. County Board of Appeals, 23 MD. app., 358, 328 A2d, 55, recites "An opinion, even that of an expert is not evidence strong or substantial enough to show error in comprehensive rezoning or confiscation unless the reasons given by the expert as the basis for his opinion, or other supporting facts relied upon by him, are themselves substantial and strong

- 2 -

Memorandum, but he failed to do so.

WHEREFORE, Movant respectfully requests that this Honorabia Gourt dismiss this appeal and that Movant be awarded his proper costs.

John W. Hessian, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

Peter Max Zimmerman

Deputy People's Counsel

HEREBY CERTIFY that on this 18 day of January, 1983, a copy of the foregoing Motion to Dismiss was mailed to Jerome Seaman, President, Jermoweb, Inc., 621
Reisterstown Road, Pikesville, MD 21208; and Donald P. Mazor, Esquire, 114 Slade
Avenue, Baltimore, MD 21208, Attorney for Petitioners/Appellants.

John W. Hessian III

In the Matter of: The application of Edward D. Ireland et al, for Rezoning of Property____ IN THE CIRCUIT COURT Scotts Level, North Side of Chicory Hill Lane From D.R 5.5 to FOR Vs. D.R. 16 Board of Appeals of Baltimore County BALTIMORE COUNTY The People's Counsel for Saltimore County Do ket 14 Folio 129 Case No._ 82-M-124 Jermoweb Inc.

NOTICE OF FILING OF RECORD

Donald P. Mazor, John W. Hessian III June Holmen , Peter Max Zimmerman Charles Crane Sol E. Gerstman

0

In accordance with Maryland Rule of Procedure B12, you are cotified that the record in the above entitled case was filed on

0

ELED JUN 18 1904 CCURT CAR F 7 TB. AV ET !! EZ MAP .4) 5834 L1**V8**

IN THE CIRCUIT COURT FOR IN THE MATTER OF THE APPLICATION BALTIMORE COUNTY OF EDWARD D. IRELAND, et al PETITIONERS AT LAW FOR REZONING OF PROPERTY LOCATED AT SCOTTS LEVEL, NORTH SIDE OF CHICORY HILL LANE CASE NO. K-82-183 FROM D.R. 5.5 to D.R. 16

B: OblAdD

ORDER

Upon the foregoing Petition to Extend Time to Transmit Record, it is this 3 day of May, 1982, by

the Circuit Court for Baltimore County,

ORDERED that the time for transmitting the record on appeal in this action to this Court is extended up to and including July 29, 1982.

JUDGE

IN THE MATTER OF THE APPLICATION CIRCUIT COURT OF EDWARD D. IRELAND, et al, PETITIONERS FORFOR REZONING OF PROPERTY LOCATED AT SCOTTS LEVEL, NORTH BALTIMORE COUNTY SIDE OF CHICORY HILL LAND FROM D.R. 5.5 to D.R. 16 AT LAW 2nd DISTRICT Misc. Doc. No. 14 JERMUWEB, INC., APPELLANTS Folio No. 129 ZONING FILE NO. R-82-183 82-M-124 File No. CERTIFIED COPIES OF PROCEEDINGS DEFORE BOARD OF APPEALS OF BALTIMORE COUNTY TO THE HONORABLE, THE JUDGE OF SAID COURT And now come William T. Hackett, Leroy B. Spurrier and John V. Murphy, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Board of Appeals of Baltimore County: ENTRIES FROM DOCKET OF BOARD OF APPEALS OF BALTIMORE COUNTY No. R-82-183 Petition of Edward D. Ireland, et al., for reclassification from August 31, 1981 DR 5.5 to DR 16 zone, on property located on the west side of Scotts Level Road and north side of Chicary Hill Lane, 2nd District, filed Order of William T. Hackett, Chairman, County Board of Appeals directing advertisement and posting of property - date of hearing set for March 16, 1982, at 10 a.m. October 30, 1981 Comments of Baltimore County Zoning Advisory Committee filed

IN THE

IN THE CIRCUIT COURT IN THE MATTER OF THE APPLICATION BALTIMORE COUNTY OF EDWARD D. IRELAND, et al., PETITIONERS AT LAW FOR REZONING OF PROPERTY LOCATED AT W/S SCOTTS LEVEL Misc. 14/129/82-M-124 RD. & N/S CH!CORY HILL LANE, 2nd DISTRICT, FROM D.R. 5.5 TO D.R. 16 ZONING FILE NO. R-82-183 JERMOWEB, INC., APPELLANTS

February 25, 1982 Certificate of Publication in newspaper - filed

February 27, 1982 Certificate of Posting of property - filed

March 16, 1982 At 10 a.m. hearing held on petition

ANSWER TO PETITION ON APPEAL

:::::::

The People's Counsel for Baltimore County, Protestant below and Appellee herein, answers the Petition on Appeal heretofore filed by the Appellant, viz:

- 1. That the Appellee denies the allegations made and contained in the first, second and third paragraphs of said Petition.
- 2. That the decision of the Board herein was proper and justified by the evidence before it and that the decision of the Board should therefore be sustained as being properly and legally made.

AND AS IN DUTY BOUND, etc.,

BALTHORE COUNTY
MAY 18 12 34 PH 18
COUNTY POLST

John W. Hessian, III People's Counsel for Baltimore County

Tete Mat Lummenn Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this & day of May, 1982, a copy of the foregoing Answer to Petition on Appeal was delivered to the Administrative Secretary, County Board of Appeals, Rm. 200, Court House, Towson, MD 21204; and a copy mailed to Donald P. Mazor, Esquire, 114 Slade Ave., Baltimore, MD 21203; and Mr. Sol E. Gerstman, Twin Oaks Associates, Inc., 4508 Dresden Rd., Bultimore, MD 21208.

Edward D. Ireland, et al Zoning File No. R-82-183

March 31, 1982 Order of the County Board of Appeals ordering that the reclassification from D.R. 5.5 to D.R. 16 petitioned for, be and the same is April 29, 1982 Order for Appeal filed in Circuit Ct. for Baltimore County by Donald P. Mazor, Esq., Counsel for Appellants April 29, 1982 Petition to accompany Order for Appeal filed in Circuit Court for Baltimore County. April 30, 1982 Certificate of Notice sent to all interested parties June 18, 1982 Transcript of testimony filed Petitioner's Exhibit No. 1 - Aerial photo dated 3/28/72 " " 2 - " " " 4/1/77 3A thru 3L - Photos showing property unde " 4A thru 41 - Series of photos taken between 8:00 & 8:30 a.m. on 3/12/82

June 18, 1982 Pecord of proceedings filed in the Circuit Ct. for Baltimore County Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County as are also the use district maps, and your respondents respectively suggest that it would be

" 5 - Topo Map on subject site

inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations, together with the zo, inguise district maps at the hearing on this petition, or whenever airected to do so by this Court.

Respectfully submitted.

County Board of Appeals of Baltimore

cc: Sol E. Gerstman Donald P. Mazor, Esq. J. Hessian, Esq.

IN THE MATTER IN THE OF THE APPLICATION OF EDWARD D. IRELAND, et al, CIRCUIT COURT PETITIONERS FOR REZONING OF PROPERTY FOR LOCATED AT SCOTTS LEVEL, NORTH SIDE OF CHICORY HILL LANE BALTIMORE COUNTY FROM D.R. 5.5 to D.R. 16 AT LAW ZONING FILE NO. R-82-183 Misc. Doc. No. 14 JERMOWEB, INC., **APPELLANTS** 129 Folio No. File No. 82-M-124

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure William T. Hackett, Leroy B. Spurrier and John V. Murphy, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Jermoweb, Inc., Jerome Seaman, President, 631 Reisterstown Rd., Baltimore, Md. 21208, Contract Purchaser-Appellant; Donald P. Mazor, Esq., 114 Slade Ave., Baltimore, Md. 21208, Counsel for Appellant; Edward D. Ireland, 2220 Poplar Grove St., Baltimore, Md. 21216, Petitioner; Charles Crane, 1800 N. Charles St., Baltimore, Md. 21201, Petitioner; Sol E. Gerstman, Twin Oaks Associates, Inc. 4508 Dresden Rd., Baltimore, Md. 21208, Petitioner's Representative; and John W. Hessian, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

> County Board of Appeals of Baltimore County Rm. 200, Court House, Towson, Md. 21204 Telephone 494-3180

IN THE MATTER OF THE APPLICATION OF EDWARD D. IRELAND, et al PETITIONERS FOR REZONING OF PROPERTY LOCATED AT SCOTTS LEVEL, NORTH: SIDE OF CHICORY HILL LANE FROM D.R. 5.5 to D.R. 16

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW CASE NO. R-82-183

********************************** PETITION TO EXTEND TIME TO TRANSMIT RECORD

Jermoweb, Inc. Contract Purchaser, appellant, by Donald P. Mazor, its attorney, moves pursuant to the Maryland Rules, that the time for the transmittal of the record in this action to this court be extended up to and including July 29, 1982. The grounds of the motion are as follows:

- 1) Prompely upon the taking of this appeal, appellant paid the Circuit Court Fee and transcript deposit to the Board of Appeals of Baltimore County as required by the Rules, and the transcript was immediately ordered.
- 2) That the Court Stenographer for the Board of Appeals of Baltimore County, Ms. Carol Beresh, advised that she would be unable to supply the transcript for a period of 90 days from April 29, 1982.
- 3) Through no fault of the appellant, it will not be possible to obtain the transcript until the court stenographer supplies same to the appellant, and the delay is through no fault of the appellant but caused by the work load of the court reporter and transcriber.

Donald P. Mazor 114 Slade Avenue Baltimore, Maryland 21208 486-0115 Attorney for Appellant

I HEREBY CERTIFY, that on this 29th day of Oculy 1982, I mailed a copy of the aforegoing Petition and Order to the Board of Appeals of Baltimore County, Room 200, Old Court House, Towson, Maryland 21204.

Donald P. Malor, Attorney

Edward D. Ireland, et al Case No. R-82-183

I HEREBY CERTIFY that a copy of the aforegoing Certificate of Nutice has been mailed to Jermoweb, Inc., Jerome Seaman, President, 631 Reisterstown Rd., Baltimore, Md. 21208, Contract Purchaser-Appellant; Donald P. Mazor, Esq., 114 Slade Ave., Baltimore, Md. 21208, Counsel for Appellant; Edward D. Ireland, 2220 Poplar Grove St., Baltimore, Md. 21216, Petitioner; Charles Crane, 1800 N. Charles St., Baltimore, Md. 21201, Petitioner; Sol E. Gerstman, Twin Oaks Associates, Inc., 4508 Dresden Rd., Baltimore, Md. 21208, Petitioner's Representative; and John W. Hessian, III, Esq., Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 30th day of April , 1982

County Board of Appeals of Baltimore County

IN THE MATTER OF THE APPLICATION BOARD OF APPEALS OF EDWARD D. IRELAND, et al, PETITIONERS FOR REZONING OF PROPERTY LOCATED AT SCOTTS LEVEL, NORTH BALTIMORE COUNTY SIDE OF CHICORY HILL LANE FROM D.R. 5.5 to D.R. 16 Case No. k-82-183

OPINION

This case comes to the Board to reclassify two properties which in total amount to four acres from D.R. 5.5 to D.R. 16. The property is a vacant lot located south of the Scotts Level Apartment complex which is zoned D.R. 16 and north of the St. Charles Apartments, also zoned D.R. 16. To the east of the property, is a similar section of D.R. 16 running along the Baltimore Beltway, which at this point is undeveloped. The Petitioner concludes from this arrangement that the County Council has left a D.R. 5.5 "hole", which they contend should be also subject to the D.R. 16 zoning.

While the above description is accurate as far as it goes, in fact, the property as shown on the reclassification petition zoning map indicates that the property is also adjoined by extensive D.R. 5.5 zoned property, that is across Scotts Level Road, immediately to the south across Chicory Hill Lane and to the west towards the Old Court Junior High School. These D.R. 5.5 properties contain individual homes along Scotts Level Road, a convalescent home, which had been permitted by special exception, and vacant property, primarily constituting the playing fields of the Old Court Junior High School. The People's Counsel, through the County Agencies, opposed the reclassification of this property. The Zoning Plans Advisory Committee Report also opposed the petition because there were significant problems with traffic in the neighborhood and more specifically that the intersections of Scotts Level and Milford Mill Rds. and Scotts Level and Old Court Rds. are at an E level of service. This level indicates severely strained and overworked intersection and was the primary grounds apparently for the Planning Board's determination to oppose the petition. Additional grounds were found in the Department of Health's comments that the property was subject to the Gwynns Falls Sewer Moratorium. On these basis, the Planning Board recommended against adoption of this reclassification.

IN THE MATTER OF THE APPLICATION OF EDWARD D. IRELAND, et al PETITIONERS FOR REZONING OF PROPERTY LOCATED AT SCOTTS LEVEL, NORTH: SIDE OF CHICORY HILL LANE : FROM D.R. 5.5 to D.R. 16

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY AT LAW CASE NO. R-82-183

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ORDER FOR APPEAL

TO THE HONORABLE, THE JUDGE OF SAID COURT: Now comes, JERMOWEB, INC., Contract Purchaser, by Donald P. Mazor, their attorney, and respectfully represent unto this Honorable Court:

That an appeal from the decision of the Board of Appeals of Baltimore County, rendered in the above entitled case on March 31, 1982, be hereby recorded.

> Donald P. Mazor 114 Slade Avenue Baltimore, Maryland 21208 486-0115 Attorney for Appellants

I HEREBY CERTIFY, that on this ____day of ______ 1962, a copy of the above captioned Order for Appeal was mailed to the Board of Appeals of Baltimore County, Room 219, Court House, Towson, Maryland 21204.

Donald P. Mazer, Attorney

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Edward D. Ireland, et al Case No. R-82-183

The Petitioners very successfully destroyed the credibility of the Zoning Plans Advisory Committee Report and therefore the Planning Board's opposition to this reclassification. They pointed out that one of the intersections that had been designated as E level had in fact recently beer improved to a B level and that the second intersection also designated as E level had all engineering drawings completed and was ready for bid for improvement to that intersection. The County countered by bringing in the fact that this property lies within the restricted area shown by the Growth Management Maps adopted by the County Council of the F level intersection at Washington and Liberty Roads. This latter intersection is located approximately one mile away from the property and undoubtedly would be affected by an increase in density by this property. However, the Board feels that the Growth Management restrictions are intended to guide the County in its building permit practices and are not necessarily determinative of what the proper zoning of a property would be, especially in light of the claims that the Petitioner has made an error on the map and change in the neighborhood. Similarly, the fact that the Sewer Moratorium noted by the County was in fact an allocation system as testified by the expert witness, Sol E. Gerstman, and in fact hook-ups were permitted or would shortly be permitted is also not determinitive. These issues are for the building permit cycle but do not go to the proper use of the property.

In spite of the obvious difficulties with the Zoning Plans Advisory Committee Report opposing the property, the Board will not grant the reclassification. While the Petitioner has successfully shown the Committee's report in error, they are under an obligation to demonstrate to this Board that either an error has been committed on the 1980 Comprehensive Zoning Map or that a significant change has been made in the neighborhood. Neither of these items has been demonstrated. In regard to change in the neighborhood, the Petitioner's expert testified as a nearby resident of the neighborhood, that many apartment complexes and changes had taken place over the years. However, the Board determines the issue of change in the neighborhood from the last Comprehensive Zoning Map which was adopted in October, 1980. No evidence of significant change in the

IN THE MATTER OF THE APPLICATION OF EDWARD D. IRELAND, et al, PETITIONERS FOR REZONING OF PROPERTY LOCATED AT SCOTTS LEVEL, NORTH: SIDE OF CHICORY HILL LANE FROM D.R. 5.5 to D.R. lu

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY CASE NO. R-82-183

PETITION

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of JERMOWEB, INC., Contract Purchaser, by Donald P. Mazor, their attorney, respectfully represents unto your Honor:

- 1) That the Petitioners have been aggrieved by the action of the Board of Appeals of Baltimore County on March 31, 1982, whereby it denied the reclassification from D.R. 5.5 to D.R. 16 of the property located at Scotts Level, North side of Chicory Hill Lane.
- 2) That your Petitioners object to and appeal from the action of said Board in this matter and state that they desire this Honorable Court to review this action because of the following errors of the Board:
- A) That the decision of the Board was arbitrary, unreasonable, and capricious.
- B) That the decision of the Board was unsupported by any substantial evidence and was unreasonable.

3) Unless this Court reverses the Order dated March 31, 1982 of the Board of Appeals of Baltimore County and changes the zoning classification of said property from D.R. 5.5 to D.R. 16, your Petitioners will suffer irreparable harm and

E 22.

Edward D. Ireland, et al Case No. R-82-183

neighborhood had occurred since that time and thus such a change has not been demonstrated. In regard to error, the Petitioner indicated that the property was "surrounded by D.R. 16" was not borne out by a closer examination of the zoning map as indicated above. In fact, considerable acreage of D.R. 5.5 exists adjacent to the property. These D.R. 5.5 zoned areas contain individual homes which are in concert with the present zoning albeit that there are apartment complexes nearby. The Petitioner noted the existence of a nursingconvalescent home next to the property, granted by special exception, and argued this as evidence of higher density use than the present D.R. 5.5 zone. However, by law, special exceptions do not indicate this. They are not permitted as a right in D.R. 5.5 zones, but their presence is specifically recognized in the Zoning Regulations for that density zoning and indicate no more than a determination by the County that the detrimental impact on the surrounding neighborhood would be minimal by allowing the special exception.

The zoning on this property was not an issue in the 1980 Comprehensive Zoning Maps but was adopted by the County Council in its general review of the County Zoning process. A very strong presumption of correctness goes with the County Council's zoning for the County and the Board has seen nothing to overcome that presumption. Specifically, when asked why the property could not be developed in its present D.R. 5.5 zoning, the Board believes that there was not sufficient evidence proposed by the developer to indicate that D.R. 5.5 was insufficient to allow any development. On the contrary, the increase in density actually discussed for the townhouse project by the Petitioner was not significantly higher than the full development capability of the present D.R. 5.5 zone. Apparently, this is because the property has a slope and grade problem to it. The Board is of the opinion that whereas D.R. 5.5 may not be the most ideal zoning for the property, it is clearly not in error. The Petitioner similarly has a reasonable use of his land.

WHEREFORE, your Petitioners aver that their rights have been prejudiced by the Board's decision and pray that this Honorable Court reverse the decision of said Board and order the zoning reclassification of said property from D.R. 5.5 to D.R. 16.

That your Petitioners may be granted such other and further relief as the nature of their cause may require. AND, AS IN DUTY BOUND, etc.

> Donald P. Mazor 114 Slade Avenue Baltimore, Maryland 21208 486-0115 Attorney for the Petitioners

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I HEREBY CERTIFY, that a copy of the aforegoing Petition was mailed this ____ day of April, 1982, to the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204.

Donald P. Mazor, Attorney

Edward D. Ireland, et al Case No. R-82-183

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 31st day of March, 1982, by the County Board of Appeals, ORDERED that the reclassification from D.R. 5.5 to D.R. 16 petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

RE: PETITION FOR RECLASSIFICATION from D.R. 5.5 to D.R. 16 Zone NW corner of Scotts Level Rd. and Chicory Hill Lane 2nd District

BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

EDWARD D. IRELAND, et al.

SUMMONS TO TESTIFY

STATE OF MARYLAND,

Mr. Victin

COUNTY OF BALTIMORE TO: MICHAEL S. FLANIGAN, Traffic Engineering Associate

BALTIMORE COUNTY TOWSON, MARYLAND 21204 You are hereby summoned to appear in person before the Baltimore

County Board of Appeals located in Room 218, Courthouse, Towson, Maryland, on Tuesday, March 16, 1982, at 10:00 A.M. to testify in the above named case.

You are also commanded then and there to produce the following documents or things:

RECORDS PERTAINING TO THE LETTER OF OCTOBER 8, 1981, TO ITEM #4, CYCLE II --

This summons was requested by Jerome Seaman whose address is 631 Reisterstown Road, Baltimore, Maryland 21208, and whose telephone number is 653-2300.

Issued this day of March, 1930.

Judge/Clerk I certify that I delivered the original of this Summons to 11/1/1/21 on this 15 day of 1/1/2 . 1002.

VI .GE OF SCOTT'S LEVEL B' ANG

F-35-

Reclassification Petition DR 5.5 to DR 16 of land at the northwest corner of Scotts Level Road and Chicory Hill Lane

AND THE RESIDENCE OF THE PROPERTY OF THE PROPE

2ND COUNCILMANIC DISTRICT, 12TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

This is a request to reclassify the subject properties from the DR 5.5 classification to the DR 16 classification, to allow sufficient dwelling unit density for spreading the development costs of certain environmental improvements required by changes in the neighborhood character while constructing homes for families of moderate income.

Both in the context of existing zoning and of existing development, it was a mistake in the last zoning cycle not to have rezoned these and some smaller scattered parcels to the DR 16 classification. Directly to the north of these properties is an apartment development zoned in the DR 16 classification. Across Scotts Level Road, to the east of the subject properties, is vacant land in the DR 16 classification. Immediately to the south, a 150 bed nursing and convalescent home was constructed, as a Special Exception, and is now occupied. Also, to the south is extensive DR 16 zoning all developed with apartments. To the west, are a number of institutional uses, including the Old Court Junior High School and the Colonial Baptist Church property which essentially cut off the subject properties from other similar apartment development to the west. However, as institutions, the Junior High School property and the Church do not require the same intensive zoning classification as other properties, similar to the subject, would require.

Because of neighborhood changes, such as construction of the nursing and convalescent home, development of the subject properties in the current zoning classification is economically unfeasible and represents a hardship to the property owners. Any development plan for the subject property will require additional costly site and design improvements to shield residential structures from these negative influences, thus raising costs for DR 5.5 density development to prohibitive economic levels.

Another negative environmental influence is the Beltway which lies approximately 600 feet to the east of the subject properties. The Beltway is scheduled for a widening to four lames in each direction. Even at the present size traffic noise is distinctly heard in the vicinity of the subject properties. In this case, the developer will also have to undertake special site and architectural design improvements to shield the properties from this undesirable influence. These and other excess costs of individual units developed at the DR 5.5 density are beyond what the market would be prepared to pay, either as a sale price or as a rent, for the projected moderate income housing proposed for the site.

Unless there is an opportunity through this reclassification to distribute these excess costs over the larger number of units required, the supply of moderate income housing in the County will continue to decline.

We respectfully submit that it was a mistake not to have reclassified the subject properties to the DR 16 classification during the last zoning cycle. We also respectfully submit that construction of the nursing and convalescent home, among other factors, constitutes a change in the neighborhood character.

For these and other reasons to be brought out at the hearing on this petition, we hereby respectfully request your approval for the reclassification from the DR 5.5 classification to the DR 16 classification for the subject properties.

Mr. Nicholas B. Commodari November 24, 1981 Page 2

Finally, the zoning map is a copy of the official county zoning map, which is not drawn to engineering/surveying standards. Since a large portion of the land on the east side of Scotts Level Road is presently zoned in the DR 16 classification, we feel strongly that our statement regarding the DR 16 classification of surrounding properties remains valid.

Thank you for consideration of these additional points in your deliberations on the appropriateness of the reclassification.

cc Jerome Seaman, Esq.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE COUNTY BOARD OF APPEALS from D.R. 5.5 to D.R. 16 Zone NW corner of Scotts Level Rd. and Chicory Hill Lane 2nd District

OF BALTIMORE COUNTY

EDWARD D. IR ELAND, et al,

: Case No. R-82-183 (Item 4, Cycle II, 1981) :::::::

ORDER TO ENTER APPEARANCE

To the Honorable, Members of Said Board:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefor, and of the passage of any preliminary or final Order in connection therewith.

Veter Max Liamina Peter Max Zimmerman Deputy People's Counsel

- To descion, III John W. Hessian, III People's Counsel for Baltimore County Rm. 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 5th day of March, 1982, a copy of the foregoing Order was mailed to Sol E. Gerstman, Twin Oaks Associates, Inc., 4508 Dresden Road, Baltimore, Maryland 21208, Petitioners' Representative; and Jermoweb, Inc., Jerome Seaman, President, 631 Reisterstown Road, B. Itimore, Maryland 21208, Contract Purchaser.

> (1) Il steam Ht John W. Hessian, III

> > · ...

September 30, 1981

Mr. Walter Reiter, Chairman Board of Appeals Court House Towson, Haryland 21204

Dear Mr. Reiter:

Comments on Item #4, Zoning Advisory Committee Meeting for Cycle II, are as follows:

> Property Owner: Edward D. Ireland, e' al Location: W/S Scotts Level Road & N/S Chicory Hill Lane Existing Zoning: D.R. 5.5 Proposed Zoning: D.R. 16 Acres: 4 District: 2nd.

etropolitan water and sever are available. Connection to metropolitan sever is subject to the Cwynns Falls Sewer moratorium.

The Zoning Plan, as submitted, does not include enough information to enable the Baltimore County Department of Realth to make complete comments. Very truly yours,

IJY/JRP/mgt

Iss J. Forrest, Director BUREAU OF ELVIRONMENTAL SERVICES

November 24, 1981

Mr. Nicholas B. Commodari, Chairman Zoning Plans Advisory Committee County Office Building 111 W. Chesapeake Avenue Towson, MD 21204

ZONRIG DEPARTMENT

Dear Mr. Commodari:

Thank you for your recent letter regarding our petition for reclassification of property, at the northwest corner of the intersection of Chicory Hill Lane and Scotts Level Road, from the

In applying for this reclassification, we were well aware of the necessity to meet all Baltimore County requirements for subdivision and for building permit approval. We also are aware of the time required to pass through all steps of zoning reclassification and subdivision approval and feel all utility deficiencies will be corrected prior to the time we would apply

We anticipate being ready to build, given current and foreseeable market conditions, about 18 months after action on the

Regarding the comment of both Planning and Traffic Engineering on the E/F level of service at the intersection of Scotts Level Road and Old Court Road, the County will be letting a contract for improvement of this intersection around the beginning of next year with construction to be completed before the summmer

Regarding the Gwynns Falls Sewer Moratorium, we are anxious to resolve the reclassification question so that we will know how to proceed with preparation of a subdivision plan, which will be filed as soon as possible to establish standing for a sewage

Twin Oaks Associates, Inc. 521 St. Paul Place Balto., Md. 21202 Phone: 685-4020



到. (A) BALTIMORE COUNT OFFICE OF PLANNING & ZONING TOWSON, MARYLAND 21204

January 18, 1982

WILLIAM F HAMMOLD ZONING COMMISSIONER

Mr. Sol E. Gerstman Twin Oaks Associates, Inc. 4508 Dresden Road Pikesville, Maryland 21208

Petition for Reclassification NW/corner of Scotts LEvel Rd. & Chicory Hill La. Edward D. Ireland, et al - Petitioners Cycle #2 - Item #4

Dear Mr. Gerstman:

This is to advise you that \$96.89 is due for the first advertising of the above property. Two additional bills will be forwarded to you in the near future.

All bil's must be paid before an order is issued.

Please make check payable to Baltimore Courty, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly years, WILLIAM E. HAMMOND Zoning Commissioner

WEH:nch

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANZOUS CASH RECEIPT

1/29/82

No. 104542

AMOUNT \$95.E9 RECEIVED Jeronie Seaman, P.A.

lst full page add for Itam #4, Cycle #2 (Ireland)

SAL DATION OR SCHAPLINE OF CASHIER والمرابع والمرابع والمرابع والمرابع والمستعدد والمرابع والمستعدد والمرابع والمتعارض وا

01-662

CALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

March 5, 1982

WIL'IAM E. HAMMOND ZONING COMMISSIONER

Mr. Sol E. Gerstman Twin Caks Associates, Inc. 4508 Dresden Road Pikesville, MD 21208

> Petition for reclassification NW/corner of Scotts Level Rd. & Chickory Hill La. Edward D. Ireland, et al - Petitioners

Case #R-82-183

Dear Mr. Gerstman:

This is to advise that \$52.75 add of the cycle 2 billing. You have already been billed for the 1st full page add. is due for the 2nd full page A third bill for the individual advertising and posting of the above property will be forthcoming. All bills must be paid before an order is issued.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland, 21204, as

No. 106841

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 4-1-12 ACCOUNT 01-662

E. Hammond ommissioner

RECEIVED IN INCHIA SEPTEMENT FOR 211 1211 Page 12 68. PXX2-113

Continue of the Continue of th

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

March 10, 1982

WILLIAM E. HAMMOND ZONING COMMISSIONER

Sol E. Gurstman Twin Cake Associates, Inc. 4508 Dresden Road Pikesville, Liaryland 21208

Petition for Reclassification HW/corner of Chickory Hill La. & Scotts Level Rd. Edward D. Ireland - Petitioner Case #R-82-183

Dear Mr. Gerstman:

This is to advise you that ______ is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing. This is your final blil.

Zoning Commissioner

BALTIMORE COUNTY, MARYLAND OFFICE OF F NCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

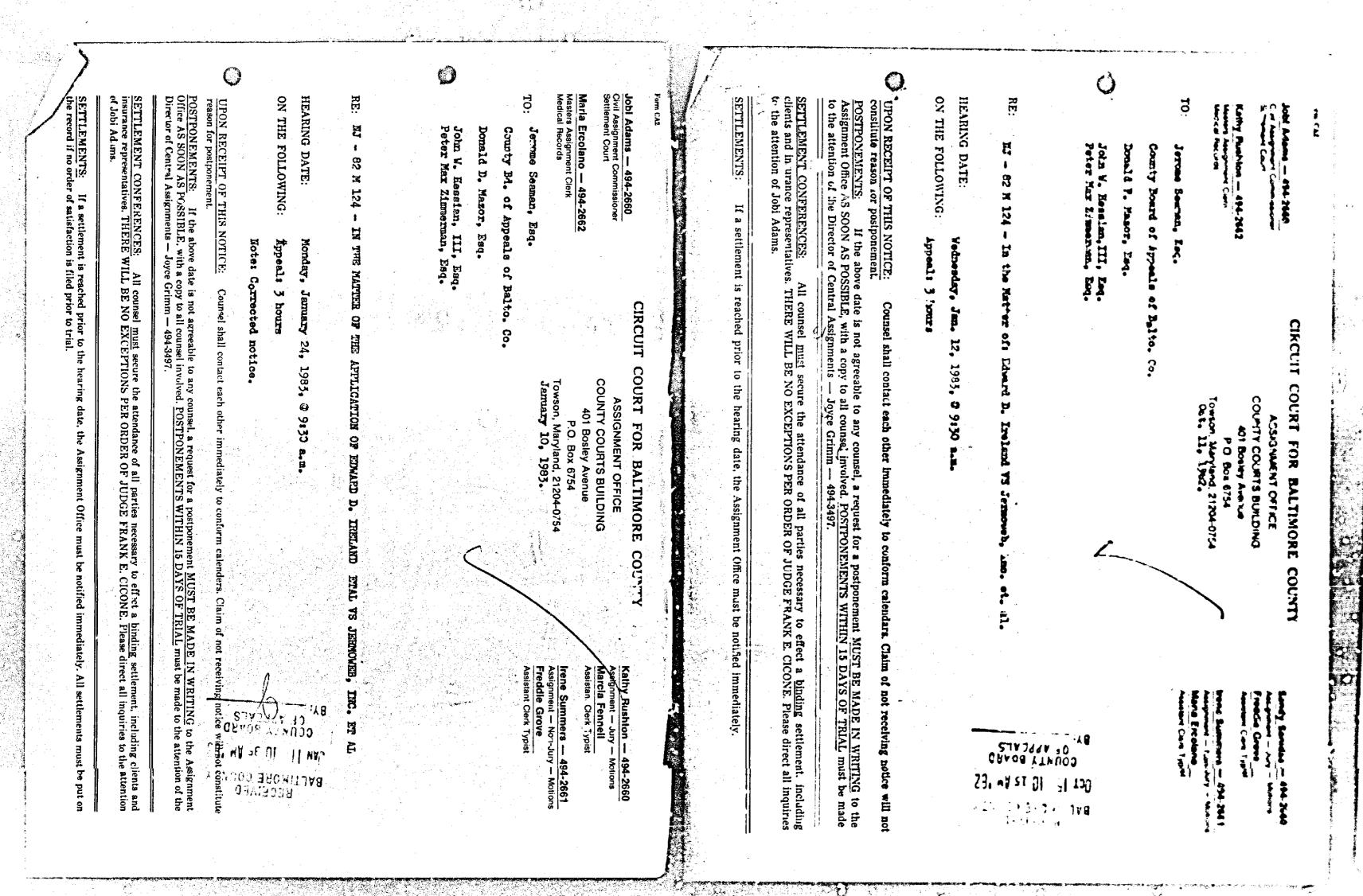
No. 105746

DATE 3/10/82 AMOUNT \$63.80 RECEIVED Jerome Seaman

FOR Individual Posting & Advertising of Case #R-82-183 (Ireland, etai)

VALIDATION OR S UNAT JRE OF CASHIER

28000 - 3 10



intersection)

Road traffic

(light is green)

5. Topographic map of subject site

4H. Same as 3B

4. Photographs taken between 8:00 and 8:35 a.m. on Friday, March 12, 1982

Scotts Level cross traffic clearing intersection when light turned

4B. Same as 4A and 3K, showing how single green cycle cleared all Old Court

4C. Same location as 3L (light is green, truck parked in same location -

4F. Same as 3A (light is orange showing "clear-away" of any traffic which

4G. Same as 3A and 4F showing maximum "back-up" of traffic during a cycle

41. Same as 3C (light is orange showing "clear-away" of any traffic which

4E. Same as 3D, 3E and 4D (light is orange of same cycle as 4D)

4A. Old Court Road, facing east (same location a 3K) showing last of

(ground is still wet from overnight rain)

impeding morning rush hour traffic)

may have been stopped by red of this cycle)

may have been stopped by red of this cycle)

4D. Same as 3D and 3E (light is green)

494-3180

County Board of Apprais Room 219, Court House Towson, Maryland 21204 April 30, 1782

Donald P. Mazor, Esq. 114 Slade Ave. Baitimore, Md. 21208

Dear Mr. Mazor:

Re: Case No. R-22-183 Edward D. Ireland, et al

In accordance with Rule 8-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning oppeal which you have taken to the Circuit Court for Baltimore County in the above mother within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

days from the date of any petition you might file in court, in occordance with Rule 5-7 (a).

covering the cost of certified copies of necessary documents.

June Holmen, Secretary

April 30, mes

FILLID TO.

Committee Manager, 1 og 114 Stade Ave. (21202)

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Idward D. beland, et al W's Scoth Level Rd. and N & Chicary Hill Lane 2x d District

MARE CHECKS PAYABLE TO:

Bultimore County, Md.

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County Board of Appools Fm. 300, Court House

fewith, Md. 1174

April 30 1983

454-3183

John W. Messian, III, Esq. Court House

AND PROPERTY OF THE PROPERTY O

Promise is hereby given, in accordance with the Bullet

Incl. cs: Sol E. Gentmon longed by keland Charles Crone Bd. of Education h. Hammand J. Dyer N. Gerter J. Horwell

Courty Bourd of Appeals Room 219, Court No.es Towars, they lead 21224 April 32, 1982

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Towson, Md. 21204

Dear M. Messiani

Ant Case No. 8-62-183 isoard D. beland, et al

of America of the Court of Appears of Maryland, that an appeal has been the on to the Circuit Court for Bestimere Courty from the decision of the County Board of Appeals rendered in the above matter.

Enclaved is a capy of the Cortificate of Natice.

Very truly yours,

Ame Holmen, Secy.

MALE CHECKS PAYABLE TO:

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not leter then thirty

Enclosed is a copy of the Certificate of Notice; also invoice

Very truly yours,

Pikesville, Maryland 21208

February 16, 1982

NOTICE OF HEARING

Petition for Re-classification NW/cor. of Chickory Hill La. & Scotts Lovol Rd. Edward D. Ireland & Charles Crane - Petitioners Case #R-82-183 Rem #4 - Cycle II

10:00 A. M. Tuesday, March 16, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

County Board of Appeals

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Jermoweb, Inc. Jorome Seaman. President 631 Relateratown Road Pikesville, MD 21203

> John W. Hessian, III Peoples Counsel

Page Two

Since there must be some limit to the period of time within which a decision should be made and communicated to the Board, it has been decided that all requests for postponements made pursuant hereto must be delivered in writing to the Board on or before March 15, 1981.

The Board has attached one very important provision to its willingness to co-operate in the granting of postponements for the purpose outlined above, which is that it will not countenance the use of the reasons given above for a postponement for other reasons and, therefore, if a case is postponed for the reason given above it must remain inactive until there is a definitive action from the courts. Therefore, parties are cautioned that if they do, in fact, seek a postponement because of the doubt surrounding the validity of the enactment of the 1980 comprehensive maps, they will be required to wait until there is a decision from the courts on the question before the Board will again assign their case no matter how long the case is suspended.

The purpose of this communication is to alert all parties of record involved of the Board's intention if a request is timely submitted.

Very truly yours,

WTH:e

cc: Edward D. Ireland Charles Crane Jermoweb, Inc.

494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204 March 31, 1982

Sol E. Gerstman, Esq. Twin Oaks Associates, Inc. 4508 Dresden Road Balto., Md. 21208

Dear Mr. Gerstman:

Re: Case No. R-82-183 Edward D. Ireland, et al

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled

Very truly yours

Charles Crane Jerome Seaman W. Hammond J. Dyer N. Gerber J. Hoswell Board of Education

ETITION FOR RE-CLASSIFIC JON

2nd DISTRICT

ZONING:

Petition for Re-classification

LOCA TION:

Northwest corner of Chickory HIII Lane and Scotts Level Road

DATE & TIME:

Tuesday, March 16, 1982 at 10:00 A.M.

PUBLIC HEARING:

Room 218 Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter, will hold a public hearing:

> Present Zoning: D.R.5.5 Proposed Zoning: D.R.16

All that parcel of land in the Second District of Baltimore County

DATE 2/16/92	ACCOUNT
	AMOUNT_\$50.00
RECEIVED Jerom	ne Seaman, P.A.

500 mil 284 8 4253 16 VALIDATION OR SIGNATURE OF CASHIER

Being the property of Edward D. Ireland and Charles Crane as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, March 16, 1982, at 10:00 A.M. Public Hearing: Room 218, Courthouse, Towson, Maryland

> BY ORDER OF WILLIAM T. HACKETT, CHAIRMAN COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

VILLAGE OF SCOTTS LEVEL BRANCH

RECLASSIFICATION PETITION DR5.5 TO DR16 OF LAND AT THE NORTHWEST CORNER OF SCOTTS LEVEL ROAD AND CHICORY HILL LANE PROPERTY DESCRIPTION

Beginning for the same at the intersection of the West side of Scotts Level Road and the North side of Chicory Hill Lane and running thence binding on the North side of Chicory Hill Lane South 52 degrees 39 minutes West 730.95 feet, and running thence North 45 degrees 06 minutes West 196.35 feet to a stone described in a deed from Martin Whiten and wife to Robert Campbell dated May 11. 1907, and recorded among the land records of Baltimore County in Liber W.P.C. No. 316 Folio 112, thence running and binding on the outline of said deed North 57 degrees 09 minutes East 346.45 feet to a point, thence running and binding on the second line of said deed North 43 degrees 26 minutes West 167.47 feet to the South side of a 10 foot road, North 60 degrees 00 minutes East 394.00 feet to the paving of Scotts Level Road, thence running and binding on the last line of the above mentioned deed and leaving Scotts Level Road South 44 degrees 32 minutes East 148.50 feet to a point on Scotts Level Road, thence along the said side of Scotts Level Road South 43 degrees 36 minutes East 148.5 feet to the point of beginning, at the intersection o_ Scotts Level Road and Chicory Hill Lane.



494-3180

County Board of Appeals Room 219, Court House Towson, Maryland 21204 February 26, 1982

Sol E. Gerstman Twin Oaks Associates, Inc. 4508 Dresden Road Baltimore, Md. 21208

> Re: Item #4, Case #R-82-183 Cycle II, Edward D. Ireland, et al

Dear Mr. Gerstman:

PETITION FOR RE-CLASSIFICATION 2nd DISTRICT

The County Board of Appeals for

Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

the Baltimore County Charter will hold a public hearing:

Present Zoning: D.R. 55

Proposed Zoning: D.R. 16

All that parcel of land in the Second District of Baltimore County

Beginning for the same at the intersection of the West aide of Scotts

Level Road and the North side of Chicory Hill Lane and running thence binding on the North aide of Chicory Hill Lane South 52 degrees 39 minutes West 730.95 feet, and running thence North 46 degrees 05 minutes West 780.95 feet, and running thence North 46 degrees 05 minutes West 196.35 feet to a soone described in a deed from Martin Whiten and wife to Robert Campbell dated May 11, 1907, and recorded amorg the land records of Baltimore County in Liber W.P.C.

No. 216 Foh; 112, thence running and birding on the outline of said deed North 57 degrees 08 minutes East 344.45 feet to a point, thence running and binding on the second line of said deed North 43 degrees 26 minutes West 167.47 feet to the South side of a 10 foot road, North 60 degrees 00 minutes East 340.00 feet to the paving of Bootts Level Road, thence running and binding on the last line of the above menitioned de 4 and leaving Scotts Level Road, thence running sand binding on the last line of the above menitioned de 4 and leaving Scotts Level Road South 43 degrees 32 minutes East 146.5 feet to the point of beginning, at the intersection of Scotta Level Road South 43 degrees 34 minutes East 148.5 feet to the point of beginning, at the intersection of Scotta Level Road and Chicory Hill Lane.

Being the property of Edward D. Ireis 13 and Charles Crane as shown on plat plan filed with the Zoning Department.

Hearing Date: Tuesday, March 16, 1962, at 10:00 A.M.

Public Hearing: Room 218, Courthouse, Towson, Maryland

By Order Of WillLIAM T. HACKETT.

By Order Of WILLIAM T. HACKETT,

Chairman County Board of Appeals of Baltimore County

Your case has been assigned for hearing before the Board during the normal cycle period for reclassification petitions. Written and public notice of the date of the hearing has either been given or is in the process of publication.

The Board has been informed that there are presently pending in the Circuit Court for Baltimore County three separate suits, all of which directly question the validity of the adoption of the 1980 comprehensive zoning map by the County Council of Baltimore County. The suits to which we refer are:

> Home Builders Assn. of Md., Inc., et al. v. Baltimore County, Md., et al - Circuit Court Equity #107047

Isaac A. Jones v. Baltimore County, Md., et al -Circuit Court Equity # 108029

Shopco Reisterstown Associates, et al v. Baltimore County, Md., et al - Circuit Court Equity #107318.

The Board, of course, is not involved in those suits and consequently will not be asked to express any opinion on the enactment question. However, we are concerned that the parties to the pending reclassification cases be made aware that there will probably be a judicial decision on the question sometime in the future, and if the Circuit Court should find that the maps were, in fact, improperly enacted, and that decision is affirmed by an appellate court, the various parties to reclassification cases might then be placed in the position of having expended time and money in the preparation and trial of their cases based on the comprehensive map which legally might not exist. The Board has, therefore, determined that it will afford each of the petitioners in the pending reclassification cases the opportunity to review the pending Circuit Court cases and make their individual determination as to whether they wish to proceed at this time to fully try their reclassification case or whether they would prefer not to take that risk and ask the Board for a continuance of their case without hearing until such time as there has been a definitive ruling by the courts on the question of the validity of the 1980 maps.

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CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

_	Townson, Maryland P-82-183
District Jones	Date of Posting 2-17-82
Petitioner Columnet D Chreland	4 Charles Crane
Location of property: NW/CaR C	4 Charles Crane Thickory Hill La. & Scotts Level Pd.
Location of Signs: NW/Comm of C	Chichory Will Lane + Scotta Level Bd.

Re-Classification 2nd DISTRICT ZONING: Petation for Re-classification LOCATION: Northwest corner of Chicary Hill Lane and Scotts Level Road DATE & TIME: Tuesday, March 16, 1982 at PUBLIC HEARING: Room 218 Courthouse. Towson, Maryland The County Board of Appeals for Battimore County, by authority of the Baitmore County Charter, will hold a public hearing. Present Zoning D.R.S.*; Proposed Zoning All that merces of land in the Second Dis-Frict of Baltimore County
Beginning for the same at the untersection of the West side of Scotts Level Road and the North side of Chicory Hill tane and running thence binding on the North side of Chicory Hill Lane South 52 degrees 39 minutes West 730.95 feet, and running thence North 45 degree: 06 minutes West 196.35 feet to a stone described in a deed from Martin Whiten and wife to Robert Campbell date. Ma 11, 1907, and recorded among the land records of Baltimore County in Liber W.P.C. No. 316 Folio 112, thence running and binding on the outline of said deed North 57 degrees 09 minutesEast 34F.45 feet to a point, thence running and binding bit a second line of said deed North 43 degrees 26 minutes West 167.47 feet to the South side of a 10 foot road, North 60 degrees 00 minutes East 394 00 feet to the paving of Scotts Level Road, thence running and

binding on the last line of the above men-

tioned deed and learing Scotts Level Road South 44 degrees 32 minutes East 148.50

leet to a point on Scotts Level Road.

thence along the "sid side of Souts Level Rd South 43 degrees 36 minutes Earl 148.5 leet to the point of beginning at the intersection of Scotts Level Road and Chicony Hall time Geing the propriy of Floward D. Ingland

aids Charles Crane as show on plat plant fixed with the Zoning Department Heaving Date Tomotay March 16, 1982 at m Public Hearing Room 218. Courthouse.

By Errier (P

Milharo T. Yacneti, Chammon County Board Df Appendix

Towson Maryland

ka. nome.

Petition For

CERRIFICATE OF PUBLICATION

OFFICE OF Dundalk Eagle

38 N. Dundalk Ave. Dundalk, Md. 21222

March 5, 19 82

THIS IS TO CERTIFY, that the annexed advertisement of William T. Hackett, chairman Balto County Board of Appeals in matter of petition for re-classification The Dundalk Eagle a weekly newswas inserted in paper published in Baltimore County, Maryland, once a week for mercesive weeks before the 26th day of February, 19 82: that is ω say,

the same was inserted in the issues of February 25, 1982

Kimpel Publication, Inc.

ZONING: Petition for Re-classifica-CERTIFICATE OF PUBLICATION CORTION: Northwest corner of Chickory Hill Lane and Scotts Level Road DATE & TIME: Tuceday, March 16, 1982 at 10-00 A.M.
PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

TOWSON, MD., _____February 25___, 19_82__

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed

and published in Towson, Baltimore County, Md., www.ib-ravb SK one time ____ servers before the __16th_____ day of ______, 19_82_, the first publication

appearing on the _25th____ day of _____February---19__82_.

THE JEFFERSONIAN. 1450

Cost of Advertisement, \$_____.

BALTIMORE COUNTY, MARYLAND OFFICE OF FUNDE REVENUE DIVISION MISCELLAN US CASH RECEIPT

ACCOUNT 01,712 DATE June 3, 1982 AMOUNT \$20,CO

FROM: Donald P. Mazor, Esq., 114 Stade Ave. (21208) FOR Case No. R-82-183, Edward D. Ireland, et al

B E090*****2000:a 2032F

